

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ROMAN GABRIEL HARLAN,

Defendant.

8:18CR104

ORDER

Defendant has requested that the Court appoint counsel to assist him with a § 2255 motion. ([Filing No. 119](#).) A court may appoint counsel for any financially eligible person seeking relief under § 2255 when the interests of justice so require. *See* [18 U.S.C. § 3006A\(a\)\(2\)](#). In making the determination to appoint counsel, a court must decide whether the *pro se* litigant has presented a nonfrivolous claim and whether the nature of the litigation will make the appointment of counsel of benefit to the litigant and the court. [Battle v. Armontrout, 902 F.2d 701, 702 \(8th Cir.1990\)](#). Defendant has not shown that appointment of counsel would benefit Defendant or the Court regarding any matter. Defendant's § 2255 motion was denied on November 1, 2021.

IT IS ORDERED that Defendant's Motion to Appoint Counsel ([Filing No. 119](#)) is denied.

Dated this 25th day of January, 2022.

BY THE COURT:

s/ Susan M. Bazis
United States Magistrate Judge